

1 Susan S.Q. Kalra (CA State Bar No. 16740)
2 Email: skalra@rameyfirm.com
RAMEY LLP
3 5020 Montrose Blvd., Suite 800
Houston, TX 77006
4 Telephone: (800) 993-7499
5 Fax: (832) 900-4941

6 William P. Ramey, III (Admitted pro hac vice)
Email: wramey@rameyfirm.com
7 RAMEY LLP
5020 Montrose Blvd., Suite 800
8 Houston, TX 77006
9 Telephone: (713) 426-3923
Fax: (832) 689-9175

10 *Attorneys for Plaintiff*
11 **LAURI VALJAKKA**

12 **IN THE UNITED STATES DISTRICT COURT**
13 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
14 **OAKLAND DIVISION**

15 **LAURI VALJAKKA,**

16 Plaintiff,

17 v.

18 **NETFLIX, INC.,**

19 Defendant.
20

Case No. 3:22-cv-01490-JST

**[PROPOSED] ORDER GRANTING
PLAINTIFF LAURI VALJAKKA'S
ADMINISTRATIVE MOTION TO
FILE DOCUMENTS UNDER SEAL**

21 -
22
23
24
25
26
27

On October 6, 2023, Plaintiff Lauri Valjakka (“Valjakka”) filed its Administrative Motion to File Documents Under Seal (“Motion to Seal”) which is narrowly tailored to seal only the sealable material pursuant to Civil Local Rules 7-11 and 79-5. Plaintiff Valjakka lists the table below for each document or portion thereof that is sought to be sealed.

The Court having reviewed the evidence in support of the Motion to Seal, finds that the following: (1) Valjakka’s Response to Motion for Summary Judgment in part, Declaration of Tibor Kozek and five exhibits, A, M, O, P and R to the Ramey Declaration; (2) Valjakka’s Response to Exclude Response to Motion to Exclude Portions of the Opinions and Testimony of Robert Held, Exhibits to Response A, B, C, D, E, H, I, J, K and M (“Exhibits”) constitutes sealable material under Local Rule 79-5.

Document(s)	Portions to Considered to be Sealed	Designating Party	Basis for Request to File Under Seal	Court’s Ruling
Response to Motion for Summary Judgment	Portions	Netflix or Valjakka	<p>Opposition to Motion for Summary Judgment</p> <p>Portions sought to be sealed specify or refer to materials that were designated as “CONFIDENTIAL” or “HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY” by counsel for Valjakka or Netflix pursuant to the parties’ Stipulated Protective Order and is thus being filed under seal.</p> <p>Valjakka respectfully requests that portions of the Opposition to Motion for Summary Judgment be sealed.</p>	

Document(s)	Portions to Considered to be Sealed	Designating Party	Basis for Request to File Under Seal	Court's Ruling
Declaration of Tibor Kozek - Response to Motion for Summary Judgment	Entirety	Valjakka	<p>The Declaration of Tibor Kozek, Valjakka's technical expert, is highly-confidential</p> <p>This document was designated "HIGHLY CONFIDENTIAL – ATTORNEYS' EYES ONLY" by counsel for Valjakka pursuant to the parties' Stipulated Protective Order and is thus being filed under seal.</p> <p>Valjakka respectfully requests that the Declaration of Tibor Kozek be redacted in its entirety.</p>	
Ex. A to Ramey Declaration - Response to Motion for Summary Judgment	Entirety	Valjakka	<p>Exhibit A is a highly-confidential license agreement</p> <p>This document was designated "HIGHLY CONFIDENTIAL – ATTORNEYS' EYES ONLY" by counsel for Valjakka pursuant to the parties' Stipulated Protective Order and is thus being filed under seal.</p> <p>Valjakka respectfully requests that Exhibit A be redacted in its entirety.</p>	
Ex. M to Ramey Declaration - Response to Motion for Summary Judgment	Portions	Valjakka	<p>Exhibit M is a highly-confidential expert report by Valjakka's infringement expert</p> <p>This document was designated "HIGHLY CONFIDENTIAL – ATTORNEYS' EYES ONLY" by counsel for Valjakka pursuant to the parties' Stipulated Protective Order and is thus being filed under seal.</p>	

Document(s)	Portions to Considered to be Sealed	Designating Party	Basis for Request to File Under Seal	Court's Ruling
			ONLY” by counsel for Valjakka pursuant to the parties’ Stipulated Protective Order and is thus being filed under seal. Valjakka respectfully requests that Exhibit M be redacted in its entirety.	
Ex. O to Ramey Declaration - Response to Motion for Summary Judgment	Entirety	Netflix	Exhibit O is a highly-confidential excerpt from the deposition of Ishaan Shastri This document was designated “HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY” by counsel for Netflix pursuant to the parties’ Stipulated Protective Order and is thus being filed under seal. Valjakka respectfully requests that Exhibit O be redacted in its entirety.	
Ex. P to Ramey Declaration - Response to Motion for Summary Judgment	Entirety	Valjakka	Exhibit P is a highly-confidential excerpt from the deposition of Tibor Kozek This document was designated “HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY” by counsel for Netflix pursuant to the parties’ Stipulated Protective Order and is thus being filed under seal. Valjakka respectfully requests that Exhibit P be redacted in its entirety.	

Document(s)	Portions to Considered to be Sealed	Designating Party	Basis for Request to File Under Seal	Court's Ruling
Ex. R to Ramey Declaration - Response to Motion for Summary Judgment	Entirety	Netflix	<p>Exhibit R is a highly-confidential compilation of notes taken by Tibor Kozek during code review</p> <p>This document was designated "HIGHLY CONFIDENTIAL – ATTORNEYS' EYES ONLY" by counsel for Netflix pursuant to the parties' Stipulated Protective Order and is thus being filed under seal.</p> <p>Valjakka respectfully requests that Exhibit R be redacted in its entirety.</p>	
Response to Motion to Exclude Portions of the Opinions and Testimony of Robert Held	Portions	Valjakka	<p>Response to Motion to Exclude Portions of the Opinions and Testimony of Robert Held</p> <p>This document was designated "HIGHLY CONFIDENTIAL – ATTORNEYS' EYES ONLY" by counsel for Valjakka pursuant to the parties' Stipulated Protective Order and is thus being filed under seal.</p> <p>Valjakka respectfully requests that Response to Motion to Exclude Portions of the Opinions and Testimony of Robert Held be redacted in its entirety.</p>	

Document(s)	Portions to Considered to be Sealed	Designating Party	Basis for Request to File Under Seal	Court's Ruling
EX A Expert Report of Tibor Kozek – Response to Motion to Exclude Portions of the Opinions and Testimony of Robert Held	Entirety	Valjakka	<p>Expert Report of EX A Tibor Kozek contains highly-confidential information.</p> <p>This document was designated “HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY” by counsel for Valjakka pursuant to the parties’ Stipulated Protective Order and is thus being filed under seal.</p> <p>Valjakka respectfully requests that Expert Report of EX A Tibor Kozek be redacted in its entirety.</p>	
EX C NFX-VALJ-00007111 – Response to Motion to Exclude Portions of the Opinions and Testimony of Robert Held	Entirety	Valjakka	<p>EX C NFX-VALJ-00007111 financial data of NetFlix contains highly-confidential information.</p> <p>This document was designated “HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY” by counsel for Valjakka pursuant to the parties’ Stipulated Protective Order and is thus being filed under seal.</p> <p>Valjakka respectfully requests that EX C NFX-VALJ-00007111 be redacted in its entirety.</p>	
EX D NFX-VALJ-00006360 – Response to Motion to Exclude Portions of	Entirety	Valjakka	<p>EX D NFX-VALJ-00006360 contains highly-confidential information.</p> <p>This document was designated “HIGHLY CONFIDENTIAL –</p>	

Document(s)	Portions to Considered to be Sealed	Designating Party	Basis for Request to File Under Seal	Court's Ruling
the Opinions and Testimony of Robert Held			ATTORNEYS' EYES ONLY" by counsel for Valjakka pursuant to the parties' Stipulated Protective Order and is thus being filed under seal. Valjakka respectfully requests that EX D NFX-VALJ-00006360 be redacted in its entirety.	
EX H Deposition excerpt of Henen Ponce – Response to Motion to Exclude Portions of the Opinions and Testimony of Robert Held	Entirety	Valjakka	EX H Deposition excerpt of Henen Ponce contains highly-confidential information. This document was designated "HIGHLY CONFIDENTIAL – ATTORNEYS' EYES ONLY" by counsel for Valjakka pursuant to the parties' Stipulated Protective Order and is thus being filed under seal. Valjakka respectfully requests that EX H Deposition excerpt of Henen Ponce be redacted in its entirety.	
EX I Deposition excerpt of Robert Held – Response to Motion to Exclude Portions of the Opinions and Testimony of Robert Held	Entirety	Valjakka	EX I Deposition excerpt of Robert Held contains highly-confidential information. This document was designated "HIGHLY CONFIDENTIAL – ATTORNEYS' EYES ONLY" by counsel for Valjakka pursuant to the parties' Stipulated Protective Order and is thus being filed under seal.	

Document(s)	Portions to Considered to be Sealed	Designating Party	Basis for Request to File Under Seal	Court's Ruling
			Valjakka respectfully requests that EX H EX I Deposition excerpt of Robert Held be redacted in its entirety.	
EX J Expert Report of Robert Held – Response to Motion to Exclude Portions of the Opinions and Testimony of Robert Held	Entirety	Valjakka	EX J Expert Report of Robert Held contains highly-confidential information. This document was designated “HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY” by counsel for Valjakka pursuant to the parties’ Stipulated Protective Order and is thus being filed under seal. Valjakka respectfully requests that EX J Expert Report of Robert Held be redacted in its entirety.	
EX K Supplemental Expert Report of Robert Held – Response to Motion to Exclude Portions of the Opinions and Testimony of Robert Held	Entirety	Valjakka	EX K Supplemental Expert Report of Robert Held contains highly-confidential information. This document was designated “HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY” by counsel for Valjakka pursuant to the parties’ Stipulated Protective Order and is thus being filed under seal. Valjakka respectfully requests that EX K Supplemental Expert Report of Robert Held be redacted in its entirety.	

Document(s)	Portions to Considered to be Sealed	Designating Party	Basis for Request to File Under Seal	Court's Ruling
EX M Rebuttal Report of Nish Mody – Response to Motion to Exclude Portions of the Opinions and Testimony of Robert Held	Entirety	Valjakka	<p>EX M Rebuttal Report of Nish Mody contains highly-confidential information.</p> <p>This document was designated “HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY” by counsel for Valjakka pursuant to the parties’ Stipulated Protective Order and is thus being filed under seal.</p> <p>Valjakka respectfully requests that the EX M Rebuttal Report of Nish Mody be redacted in its entirety.</p>	

1 Therefore, IT IS HEREBY ORDERED that Plaintiff Valjakka's Administrative Motion is
2 GRANTED. Valjakka's (1) Response to Motion for Summary Judgment in part, Declaration of
3 Tibor Kozek and five exhibits, A, M, O, P and R to the Ramey Declaration, (2) Valjakka's
4 Response to Exclude Response to Motion to Exclude Portions of the Opinions and Testimony of
5 Robert Held, Exhibits to Ramey Declaration A, B, C, D, E, H, I, J, K and M shall be filed under
6 seal pursuant to L.R. 79-5(c).
7

8
9 **IT IS SO ORDERED.**

10 DATED: _____

11 _____
12 Hon. Jon S. Tigar
13 United States District Court Judge
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28